

Notice of Allowability

Application No.

10/729,748

Examiner

Alain L. Bashore

Applicant(s)

SHIMOYAMA ET AL.

Art Unit

1792

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10-31-07.
2. ☒ The allowed claim(s) is/are 1,3-7,10-14,39-49 and 51-53.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/842,402.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 10-31-07
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

/Alain L. Bashore/
Primary Examiner, Art Unit 1792

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 10-31-07 has been entered.

Response to Submission

2. Applicant's arguments, see pages 7-9, filed 7-9-07, with respect to the claims is persuasive further in view of the examiner's amendment. It is noted that applicant had perfected the priority in the parent application with filing of an English translation of the Japanese priority document.

EXAMINER'S AMENDMENT

3 An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Harding on 9-17-07 and 3-3-08.

The application has been amended as follows:

In claim 1, line 7, delete "contacting" and replace with --washing--;

In claim 1, lines 7-8, delete "or a buffer solution comprising a pH of about 7";

In claim 1, line 10, after "or more" insert – whereby increased wettability of the plastic article does not vary with time--;

In claim 51, delete " 80° " and insert in place thereof --78° and greater than about 28° -----

Cancel claim 54.

Allowable Subject Matter

4. Claims 1, 3-7, 10-14, 39-59, 51-53 are allowed.

Reasons for allowance

5. The following is an examiner's statement of reasons for allowance:

The present invention includes independent claim 1. Claims 1 recites a method for surface treatment of a plastic article.

McGee et al is considered the closest prior art McGee et al discloses a method for surface treatment of a plastic article. A step of immersing in an aqueous solution, free of coupling agents and comprising as a first polymer a carboxyl functional polymer having a weight average molecular weight of 200 or more, wherein the step of immersing is prior to any pretreatment, and further immersing the plastic article in an aqueous solution of a second polymer having a weight average molecular weight of 200 or more.

McGee et al does not disclose the claimed combination including:

In claim 1:

immersing said plastic article in a first aqueous solution having a pH of 4 or less, and comprising as a first polymer a carboxyl functional polymer having a weight average molecular weight of 200 or more to form a plastic article-first polymer complex, and

washing said plastic article-first polymer complex with purified water, and immersing said plastic article-first polymer complex in an aqueous solution of a second

Art Unit: 1792

polymer having a weight average molecular weight of 200 or more whereby increased wettability of the plastic article does not vary with time.

For these reasons claim 1 is deemed to be allowable over the prior art of record, and claims 3-7, 10-14, 39-59, 51-53 are allowable by dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1792

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alain L. Bashore/
Primary Examiner
Art Unit 1762